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Fort Worth, Texas 76102  
Telephone: (817) 878-3569  
Facsimile: (817) 878-9769

Chapter 11 Trustee

ERIC P. ISRAEL (State Bar No. 132426)  
*eisrael@DanningGill.com*  
AARON E. DE LEEST (State Bar No. 216832)  
*adeleest@DanningGill.com*  
DANNING, GILL, ISRAEL & KRASNOFF, LLP  
1901 Avenue of the Stars, Suite 450  
Los Angeles, California 90067-6006  
Telephone: (310) 277-0077  
Facsimile: (310) 277-5735

General Counsel for Michael A. McConnell,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**NORTHERN DIVISION**

In re

HVI CAT CANYON, INC.,

Debtor.

Case No.: 9:19-bk-11573-MB

Chapter 11

**CHAPTER 11 TRUSTEE'S NOTICE OF  
APPLICATION AND APPLICATION TO  
EMPLOY AND PAY NETHERLAND,  
SEWELL & ASSOCIATES, INC. TO  
PREPARE PROVED RESERVE REPORT  
AND APPROVE ENGAGEMENT  
LETTER; STATEMENT OF  
DISINTERESTEDNESS**

[No hearing unless requested under Local  
Bankruptcy Rule 9013-1(o)(1)]

**TO THE HONORABLE MARTIN BARASH, UNITED STATES BANKRUPTCY JUDGE;**  
**THE OFFICE OF THE UNITED STATES TRUSTEE AND PARTIES IN INTEREST:**

**PLEASE TAKE NOTICE** that Michael A. McConnell ("Applicant" or "Trustee") of the  
estate of HVI Cat Canyon, Inc. (the "debtor"), hereby applies for entry and an order to retain

1 Netherland, Sewell & Associates, Inc. ("NSAI" or the "Firm") as a consultant to prepare an updated  
2 Proved Reserve Report and to approve the attached engagement letter.

3 The Trustee needs the services of the Firm to prepare an updated Proved Reserve Report  
4 ("Reserve Report") for the Trustee of the debtor's oil and gas reserves. The Trustee is required to  
5 provide the report to its lender UBS AG, Stamford Branch and prospective buyers will require such  
6 a report to consider any purchase of the assets. The Trustee intends to pay NSAI up to \$145,000  
7 for the Reserve Report plus out of pocket costs. The Firm has substantial experience and expertise  
8 and is well-qualified to prepare such a report. The terms of the Trustee's proposed retention of the  
9 Firm in this case are reasonable.

10 Applicant respectfully requests that the Court enter an order authorizing the Trustee, based  
11 upon the foregoing and pursuant to Section 327(a) of the Bankruptcy Code and Rule 2014(a) of the  
12 Federal Rules of Bankruptcy Procedure, to employ the Firm to prepare the requisite report, with  
13 compensation of the Firm to be in accordance with the terms set forth herein, and to approve the  
14 engagement letter.

15 The Trustee submits this application pursuant to Federal Rules of Bankruptcy Procedure  
16 ("FRBP") 2014 and Local Bankruptcy Rules ("LBR") 2014-1(b) and 9013-1.

17 The application is based upon this notice of application, the attached Memorandum of  
18 Points and Authorities, the attached Statement of Disinterestedness, the complete files and records  
19 of this case, and such other evidentiary matters as may be presented to the Court.

20 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Bankruptcy Rule 9013  
21 1(o)(1)(A)(ii), any objection and request for hearing must be in writing and must be filed and  
22 served within fourteen (14) days after of the date of mailing of this Notice, plus an additional 3  
23 days if this notice of motion was served by mail or pursuant to Fed. R. Civ. P. 5(b)(2)(D) or (F).  
24 The response or opposition to the application shall be filed with the Bankruptcy Court and served  
25 on the United States Trustee, at 1415 State Street, Suite 148, Santa Barbara, CA 93101, and  
26 counsel for the Trustee, Eric P. Israel, at 1901 Avenue of the Stars, Suite 450, Los Angeles, CA  
27 90067-6006.

1 If you fail to file a written response within fourteen days of the date of the service of this  
2 notice, plus an additional 3 days if this notice of motion was served by mail or pursuant to Fed. R.  
3 Civ. P. 5(b)(2)(D) or (F), the Court may treat such failure as a waiver of your right to oppose the  
4 application and may grant the requested relief.

5  
6 DATED: January 15, 2020

DANNING, GILL, ISRAEL & KRASNOFF, LLP

7  
8 By: 

9 AARON E. DE LEEST

10 Attorneys for Michael A. McConnell,  
11 Chapter 11 Trustee  
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**APPLICATION**

Michael A. McConnell, the Chapter 11 trustee (the “Trustee” or “Applicant”) for the estate of HVI Cat Canyon, Inc. (the “debtor”), hereby applies for entry of an order under 11 U.S.C. § 327(a) authorizing the employment and retention of Netherland, Sewell & Associates, Inc. (“NSAI” or the “Firm”) as a consultant to prepare the requisite Proved Reserve Report (“Reserve Report”) and to pay NSAI up to \$145,000 for the Reserve Report plus out of pocket costs. The Trustee also requests approval of the attached engagement letter with NSAI.

**A. The Bankruptcy Filing**

On July 25, 2019 (the “Petition Date”), the debtor commenced this case by filing a voluntary petition for relief under Chapter 11 of title 11 of the United States Code (the “Code”). The case was originally filed in the Southern District of New York. The case was transferred to the Northern District of Texas, and then later to the Central District of California.

The debtor initially operated its business as a “debtor in possession,” until on or about October 16, 2019, when the Court entered its Agreed Order Granting Motion for Appointment of a Chapter 11 Trustee. On or about October 21, 2019, the U.S. Trustee appointed Michael A. McConnell as the Chapter 11 Trustee for the debtor’s estate. On or about October 22, 2019, the Court entered an order approving the appointment of Michael A. McConnell as the Chapter 11 trustee in this case.

The debtor is a Colorado corporation authorized to conduct business in the state of California. It is the owner and operator of producing oil and gas interests in California. According to the debtor, it “owns an approximately 100% working interest and an average 85% net revenue interest in over 1,000 oil wells in the Santa Maria Valley of Santa Barbara County, North Belridge in Kern County, and Richfield East Dome Unit in Orange County.” The debtor employs approximately 50 individuals. The debtor has a long history of violations and issues with regulatory agencies.

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1 The debtor on its schedules listed secured claims in favor of several entities, including a  
2 senior lien against all of its assets in favor of UBS, LLC ("UBS"). UBS advises that its lien  
3 aggregates over \$120 million. In contrast, the Trustee is advised that the Court recently found that  
4 the debtor's assets were worth between \$50 million and \$75 million at a cash collateral hearing.  
5 The debtor is a party to numerous key contracts with affiliates, including providing it office and  
6 administrative services, trucking services, purchase of diluent and sale of its product. UBS and  
7 others sought the appointment of a Chapter 11 Trustee in this case.

8 At this time, all of the funds on hand are cash collateral of UBS. The Court recently  
9 approved a borrowing and 5 week cash collateral budget. The next budget will include a line item  
10 in the carve-out for NSAI, subject to Court approval. Preparation of a Reserve Report is a  
11 milestone condition of UBS for loaning money to the trustee.

12 As set forth below, by this application, the Trustee seeks to employ NSAI to prepare an  
13 updated Reserve Report. The Trustee also seeks authority to pay NSAI up to \$145,000 for the  
14 Reserve Report per the engagement letter. See Exhibit "3".

15  
16 **B. The Proposed Retention of Netherland, Sewell, & Associates, Inc.**

17 Applicant believes that it is necessary and appropriate to retain NSAI to prepare the Reserve  
18 Report. The Trustee is required to provide the report to its lender UBS AG, Stamford Branch and  
19 prospective buyers will require such a report to consider any purchase of the assets. NSAI will  
20 require an initial \$25,000 deposit in order to commence work and an additional \$25,000 per week  
21 for a total of \$100,000 after which the remaining balance will be due upon delivery of the Reserve  
22 Report.

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24 **C. The Firm's Qualifications and Services to be Rendered**

25 NSAI is well known within the oil and gas financial communities. It has been in business  
26 for almost 60 years and employs approximately 60+ engineers, geologists, geophysicists, and  
27 petrophysicists. NSAI has delivered thousands of reports to petroleum and financial concerns  
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1 throughout the world. NSAI is well able to perform the requisite services and, in particular, to  
2 prepare the Reserve Report for the Trustee in this bankruptcy case. NSAI's breadth of experience  
3 and length of service in the community is described in its firm resume, a copy of which is attached  
4 as Exhibit "1" to the Statement of Disinterestedness (the "Statement"), filed with this Application  
5 and incorporated herein. NSAI will comply with the Bankruptcy Code and all applicable rules in  
6 this bankruptcy case or will confer with the Trustee's counsel regarding same.

7 As of the date of the application, to the best of applicant's knowledge and after  
8 consideration of the disclosures in the attached Statement, applicant believes that the Firm and all  
9 of its partners and employees are disinterested persons as that term is defined in 11 U.S.C.  
10 §101(14), and neither the Firm nor any partners or employees of the Firm are connected with  
11 applicant, the debtor, debtor's creditors, any other party in interest, their respective attorneys and  
12 accountants, or to this estate, and has no relation to any bankruptcy judge presiding in this district,  
13 the Clerk of the Court or any relation to the United States Trustee in this district, or any person  
14 employed at the Court or the Office of the United States Trustee, nor does the Firm or its  
15 employees represent or hold an adverse interest with respect to the debtor, any creditor, or to this  
16 estate, except to the extent that the Firm prepared numerous Reserve Reports between 1998 and  
17 2017 for the Debtor. The Firm holds a pre-petition unsecured claim against the Debtor in the  
18 amount of \$184,086.56 for unpaid invoices for pre-petition services and will file a proof of claim  
19 thereon.

20  
21 **D. Terms of Proposed Employment**

22 The Firm will render services to the Trustee at the Firm's regular hourly rates, which may  
23 be subject to adjustment from time to time. The current hourly rates are set forth in Exhibit "2"  
24 attached to the Statement of Disinterestedness. The Trustee and Firm have agreed, subject to the  
25 Court's approval, to the terms of the Firm's employment in the case.

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27 ///

1           **E. Proposed Terms of Payment**

2           By this motion, the Trustee intends to pay NSAI up to \$145,000 for an updated Reserve  
3 Report with an initial \$25,000 deposit in order to commence work and an additional \$25,000 per  
4 week for a total of \$100,000, after which the remaining balance will be due upon delivery of the  
5 Reserve Report. Out of pocket expenses will be billed at cost. Computer charges are applied at a  
6 rate commensurate with software usage; the standard rate is 8 percent of consulting services.

7  
8           **F. General Provisions/Disclosures**

9           There will be no written employment agreement between applicant and NSAI, apart from  
10 this application, the engagement letter, and the order entered upon this application. The only  
11 source of payment of compensation for NSAI will be from this estate, as may be approved and  
12 ordered paid by the Court. No retainer has been paid or will be paid to NSAI.

13           WHEREFORE, applicant prays the Court to enter its order authorizing him to retain NSAI,  
14 as an administrative expense in this bankruptcy case, to prepare an updated Reserve Report,  
15 authorize the Trustee to pay up to \$145,000 for the Reserve Report plus out of pocket costs,  
16 approve the engagement letter, and for such other and further relief as may be determined just and  
17 proper.

18  
19 DATED: January 15, 2020

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22 MICHAEL A. MCCONNELL  
23 Chapter 11 Trustee  
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**STATEMENT OF DISINTERESTEDNESS FOR EMPLOYMENT**  
**OF PROFESSIONAL PERSON UNDER F.R.B.P. 2014**

1. Name, address and telephone number of the professional ("the Professional" or "the Firm") submitting this Statement:

Netherland, Sewell & Associates, Inc.  
2100 Ross Avenue, Suite 2200  
Dallas, TX 75201  
T: 214-969-5401

Attached hereto as Exhibit "1" and incorporated by reference herein, is a copy of the resume for the Firm.

2. The services to be rendered by the Professional in this case are (specify): See page 5 of the within the Application.

3. The terms and source of the proposed compensation and reimbursement of the Professional are (specify): See page 5 of the within Application and Exhibit "2". Out of pocket expenses are billed at cost. Computer charges are applied at a rate commensurate with software usage; the standard rate is 8 percent of consulting services.

4. The nature and terms of retainer (i.e., nonrefundable versus an advance against fees) held by the Professional are (specify): None

5. The investigation of disinterestedness made by the Professional prior to submitting this Statement consisted of (specify): Conflicts check

6. The following is a complete description of all of the Professional's connections with the debtor, principals of the debtor, insiders, the debtor's creditors, any other party or parties in interest, and their respective attorneys and accountants, the United States Trustee or any person employed in the Office of the United States Trustee (specify, attaching extra pages as necessary):

None, except the Firm prepared numerous Reserve Reports between 1998 and 2017 for the Debtor.

7. The Professional is not a creditor, an equity security holder or an insider of the debtor, except as follows (specify, attaching extra pages as necessary): The Firm holds a pre-petition unsecured claim against the Debtor in the amount of \$184,086.56 for unpaid invoices for pre-petition services and will file a proof of claim for that amount.

8. The Professional is not and was not, within two (2) years before the date of the filing of the petition herein, a director, officer or employee of the debtor.

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1 9. The Professional neither holds nor represents any interest materially adverse to the  
2 interest of the estate or of any class of creditors or equity security holders, by reason of any direct  
3 or indirect relationship to, connection with, or interest in, the debtor, or for any other reason, except  
as follows (specify, attaching extra pages as necessary): None

4 10. Name, address and telephone number of the person signing this Statement on behalf  
5 of the Professional and the relationship of such person to the Professional (specify):

6 C.H. (Scott) Rees III, P.E.  
7 Chairman and Chief Executive Officer  
8 Netherland, Sewell & Associates, Inc.  
9 2100 Ross Avenue, Suite 2200  
Dallas, TX 75201  
T: 214-969-5401

10 11. The Professional is not a relative or employee of the United States Trustee or a  
11 Bankruptcy Judge, except as follows (specify, attaching extra pages as necessary):

12 None

13 12. Total number of attached pages of supporting documentation: 5

14 13. After conducting or supervising the investigation described in Paragraph 5 above, I  
15 declare under penalty of perjury under the laws of the United States of America, that the foregoing  
16 is true and correct except that I declare that Paragraphs 6 through 11 are stated on information and  
belief.

17 Executed on January 14, 2020, at Dallas, Texas.

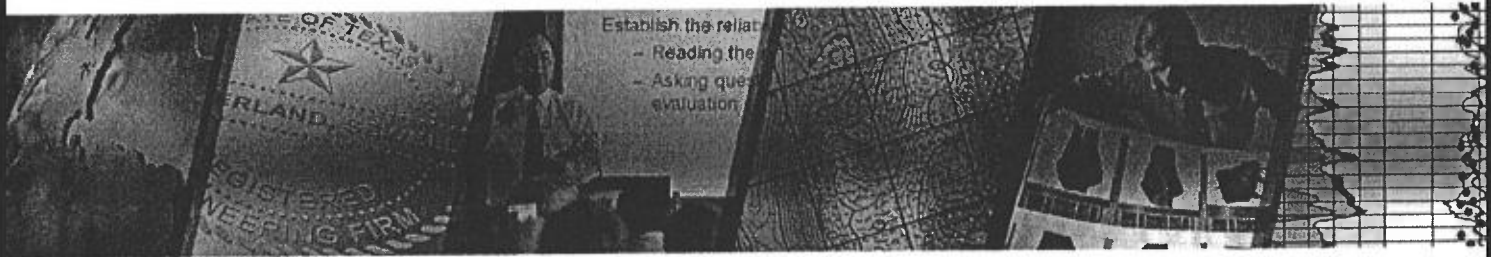
18   
19 C.H. (SCOTT) REES III  
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**EXHIBIT "1"**

## NETHERLAND, SEWELL & ASSOCIATES, INC.

Worldwide Petroleum Consultants

Reputation. Expertise. Service.



### About NSAI

- Established in 1961
- Offices in Dallas and Houston, Texas
- 60+ Engineers, Geologists, Geophysicists, and Petrophysicists
- 75+ Engineering and Geology Analysts
- Expertise in most producing basins worldwide
- Well known within the oil & gas and financial communities
- The #1 choice for SEC reserves reporting
- Focused on building client relationships and delivering exceptional service

### NSAI Certified

Public companies choose NSAI for their SEC reserves reporting more than any other petroleum consulting firm. An NSAI report honors all the data and industry reserves definitions to give a full and fair inventory of reserves and cash flow. Each report is based on sound judgment, broad experience, technical expertise, and accepted practices.

Visit our website for more information on SEC reporting, including regulations, definitions, and pricing data and guidance.



### Property Evaluation Seminars

Each year, NSAI conducts its highly regarded Oil & Gas Property Evaluation Seminar for non-technical financial professionals whose work relates to the petroleum industry. The seminar is designed to help you gain a better understanding of the various aspects of the evaluation of hydrocarbon reserves as well as learn how to use reserves reports and studies.

Dallas: May 6-7 and May 8-9, 2019

London: June 11-12, 2019

Singapore: July 11, 2019

New Delhi: July 16, 2019

Mexico City: September 4-5, 2019



### Dallas Office


2100 Ross Avenue, Suite 2200  
Dallas, Texas 75201  
214.969.5401

### Houston Office

Fulbright Tower  
1301 McKinney St., Suite 3200  
Houston, Texas 77010  
713.654.4950

Contact us at [info@nsai-petro.com](mailto:info@nsai-petro.com)

Visit us at [netherlandsewell.com](http://netherlandsewell.com)

Follow us on LinkedIn 

## **NETHERLAND, SEWELL & ASSOCIATES, INC.**

Worldwide Petroleum Consultants

Reputation. Expertise. Service.

### **Disciplines**

NSAI specializes in projects encompassing multiple disciplines. Our technical staff includes reservoir and operations engineers, petrophysicists, and geoscientists who are generally cross-trained in geology and geophysics. We also employ staff specializing in geologic modeling, reservoir simulations, statistical modeling and data analytics, complex computer mapping, and non-routine time-to-depth conversion. We apply the right combination of people, expertise, and technology to each assignment.

Geological and Geophysical Services  
Petrophysical Consulting Services  
Reservoir Engineering  
Economic Analysis

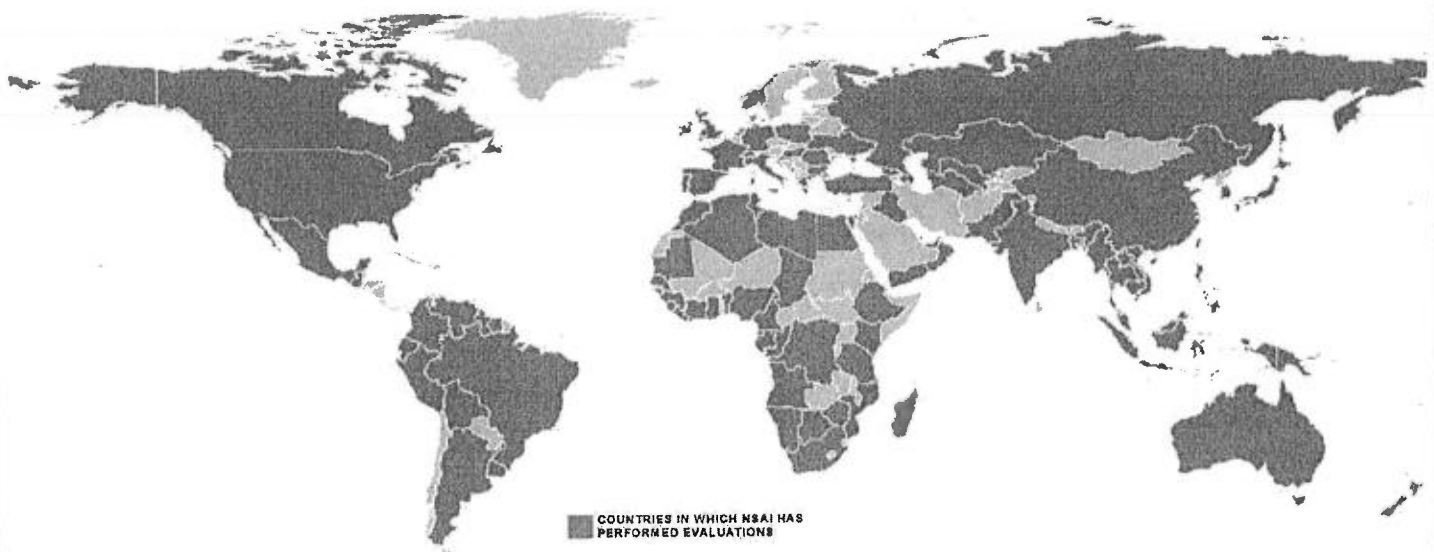
### **Services**

Visit us at [netherlandsewell.com](http://netherlandsewell.com) to learn more about any of the following services we provide:

Acquisition & Divestiture Evaluations  
Coalbed Methane Development Studies  
Competent Person's Reports  
Deepwater Development Studies  
Enhanced Recovery Projects  
Equity Determinations  
Gas Storage Development Studies  
Midstream Services  
Pipeline Supply Studies  
Project Finance Certifications  
Prospective Resources Assessments  
Reservoir Simulation  
SEC Reserves Reports and Audits  
Unconventional Oil and Gas

### **Global Project Experience**

NSAI has conducted reserves certifications, technical studies, economic evaluations, and advisory work for both onshore and offshore fields in over 100 countries. We have delivered thousands of reports to petroleum and financial concerns throughout the world. Whether it is for a small property in East Texas or a giant LNG development in the Middle East, our clients know that an NSAI report will be highly respected.



**EXHIBIT “2”**



SCHEDULE OF RATES  
Effective April 1, 2019

	Domestic Hourly Rate (US\$)
Senior Engineers, Geologists, Geophysicists, and Petrophysicists	350 - 465
Staff Engineers, Geologists, Geophysicists, and Petrophysicists	215 - 345
Engineering, Geological, and Petrophysical Analysts	55 - 240
Computer Systems Analysts/Programmers	75 - 200
Administrative/Support Staff	25 - 185
Geophysical and Other Workstation Time	40 - 140

*Project costs are based on hourly rates plus out-of-pocket expenses, which will be billed at cost. Computer charges are applied at a rate commensurate with software usage; the standard rate is 8 percent of consulting services. NSAI reserves the right to change the rates shown above on an annual basis.*

**EXHIBIT “3”**



**NSAI** NETHERLAND, SEWELL  
& ASSOCIATES, INC.  
WORLDWIDE PETROLEUM CONSULTANTS  
ENGINEERING • GEOLOGY • GEOPHYSICS • PETROPHYSICS

EXECUTIVE COMMITTEE	CHAIRMAN & CEO
ROBERT C. BARG • P. SCOTT FROST	C.H. (SCOTT) REES III
JOHN G. HATTNER • MIKE K. NORTON	PRESIDENT & COO
DAN PAUL SMITH • JOSEPH J. SPELLMAN	DANNY D. SIMMONS
RICHARD B. TALLEY, JR. • DANIEL T. WALKER	EXECUTIVE VP
	G. LANCE BINDER

January 13, 2020

Mr. Michael A. McConnell  
Chapter 11 trustee of the estate of HVI Cat Canyon, Inc.

Mr. McConnell:

We are pleased to have the opportunity of providing to Michael A. McConnell, the Chapter 11 trustee (the "Trustee") of the estate of HVI Cat Canyon, Inc (the "Debtor") consulting petroleum engineering, geological, geophysical, petrophysical, and evaluation services as you have requested. We pledge our utmost effort in serving your needs in a professional, efficient, and timely manner.

We are certain that you understand that uncertainties are inherent in the interpretation of engineering, geological, geophysical, and petrophysical data and that any determination, computation, estimate, evaluation, classification, or categorization made by us will represent only our informed professional judgment based on the data and information obtained by us. Therefore, we shall not be liable for any cost or expense incurred or for any loss or damage sustained (a) as a result of the manner in which such services are in good faith performed by us, (b) as a result of our failure in good faith to perform any service or make any determination, computation, classification or categorization, or (c) as a result of the reliance by the Trustee or any other party on any determination, computation, classification, or categorization made by us.

In the event that NSAI or any of its shareholders, directors, officers, employees, consultants, or contractors of it are ever required to provide any testimony, documents, or other information in any form, in response to any request, whether by subpoena or otherwise (hereinafter "Discovery Request"), in connection with any litigation, arbitration, regulatory or administrative proceeding, or governmental investigation, whether during the term of this engagement by the Trustee or at any time thereafter, arising out of or relating to the services provided under this engagement, the Trustee agrees to (a) pay NSAI at its standard rates for the time incurred by NSAI to respond to and/or comply with any such Discovery Request, and (b) reimburse NSAI for all costs and expenses incurred by NSAI in order to respond to and/or comply with such Discovery Request, including, without limitation, the reasonable attorneys' fees incurred by NSAI.

We will submit invoices to the Trustee for our professional services rendered and the expenses we incurred on behalf of the Trustee. Those invoices shall be due and payable upon receipt. If default is made by you in the payment of any account or obligation owing by you hereunder (1) we may at our option and discretion suspend all services hereunder and defer the delivery of any work product until such default is cured (including but not limited to interpreted data, preliminary reports, or final bound reports); and (2) you shall bear and pay all of the costs and expenses (including reasonable attorneys' fees and our internal costs) incurred by us in the collection thereof.

Payment to NSAI is governed by the terms of the Trustee's Application to Employ the Firm (the "Application to Employ") filed in the Bankruptcy Court in the case of HVI Cat Canyon, Inc., Case No. 9:19-bk-11573-MB.

Should any dispute arise between the Trustee and NSAI, the dispute shall be resolved as follows:

NSAI and the Trustee mutually agree that if any legal action or proceeding is initiated concerning the terms or provisions of this agreement, any such legal action or proceeding shall be brought in the United States Bankruptcy Court in relation to bankruptcy case of HVI Cat Canyon, Inc., Case No. 9:19-bk-11573-MB, and that the laws of California and the United States of America shall apply.

Unless subsequently changed by our written agreement, the terms in this letter will apply to NSAI's future engagements with the Trustee.



Mr. Michael A. McConnell  
January 13, 2020  
Page 2

The parties acknowledge that the Trustee is a trustee appointed to administer a bankruptcy estate. The parties acknowledge and agree that this agreement is being made by the Trustee solely in his capacity as the chapter 7 trustee of the Debtor's estate, and not in a personal capacity, and no liability or obligations shall accrue to the Trustee personally.

**ANY REPORT PROVIDED BY NSAI IS PROVIDED FOR THE EXCLUSIVE USE OF TRUSTEE AND MAY NOT BE RELIED UPON BY ANY OTHER PERSON, ORGANIZATION, OR ENTITY (COLLECTIVELY, "OTHER PARTIES") FOR ANY PURPOSE. NETHERLAND, SEWELL & ASSOCIATES, INC. (NSAI), TRUSTEE, AND THEIR RESPECTIVE AFFILIATES MAKE NO REPRESENTATIONS OR WARRANTIES TO OTHER PARTIES WITH RESPECT TO ANY REPORT ARISING FROM THIS ENGAGEMENT. ANY OTHER PARTIES REVIEWING OR MAKING USE OF ANY REPORT PREPARED BY NSAI DO SO AT THEIR OWN RISK AND ACKNOWLEDGE THAT NSAI, TRUSTEE, AND THEIR RESPECTIVE AFFILIATES HAVE NO LIABILITY TO OTHER PARTIES WITH RESPECT TO SUCH INFORMATION.**

We trust this agreement meets with your approval. If the foregoing correctly reflects your understanding, please have the enclosed copy of this letter executed by the Trustee and return it to us at our Dallas address. We look forward to working with you.

Sincerely,

**NETHERLAND, SEWELL & ASSOCIATES, INC.**

By: 

C.H. (Scott) Rees III, P.E.  
Chairman and Chief Executive Officer

**AGREED AND ACCEPTED:**

**Michael A. McConnell, Chapter 11 Trustee**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

CHA:MBG

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1901 Avenue of the Stars, Suite 450, Los Angeles, CA 90067-6006.

A true and correct copy of the foregoing document entitled (*specify*): **CHAPTER 11 TRUSTEE'S NOTICE OF APPLICATION AND APPLICATION TO EMPLOY AND PAY NETHERLAND, SEWELL & ASSOCIATES, INC. TO PREPARE PROVED RESERVE REPORT AND APPROVE ENGAGEMENT LETTER; STATEMENT OF DISINTERESTEDNESS** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On January 16, 2020, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page.

**2. SERVED BY UNITED STATES MAIL:** On January 16, 2020, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor  
HVI Cat Canyon, Inc.  
c/o Capitol Corporate Services, Inc.  
36 S. 18th Avenue, Suite D  
Brighton, CO 80601

Debtor  
HVI Cat CANYON, INC.  
630 Fifth Avenue, Suite 2410  
New York, NY 10111

☐ Service information continued on attached page.

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on January 16, 2020, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

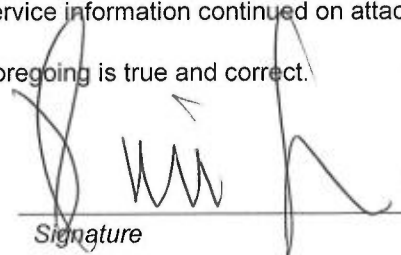
Served by Personal Delivery to be delivered by January 17, 2020  
The Honorable Martin R. Barash  
U.S. Bankruptcy Court  
21041 Burbank Boulevard, Bin on 1<sup>st</sup> Floor outside entry to Intake Section  
Woodland Hills, CA 91367

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 16, 2020  
Date

Vivian Servin  
Printed Name

  
Signature

ADDITIONAL SERVICE INFORMATION (if needed):

1. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")

- William C Beall will@beallandburkhardt.com, carissa@beallandburkhardt.com
- Alicia Clough aclough@loeb.com, mnielson@loeb.com, ladocket@loeb.com
- Marc S Cohen mscohen@loeb.com, kyles@loeb.com
- Alec S DiMario alec.dimario@mhllp.com, debra.blondheim@mhllp.com; Syreeta.shoals@mhllp.com
- Karl J Fingerhood karl.fingerhood@usdoj.gov, efile\_ees.enrd@usdoj.gov
- H Alexander Fisch Alex.Fisch@doj.ca.gov
- Don Fisher dfisher@ptwww.com, tblack@ptwww.com
- Brian D Fittipaldi brian.fittipaldi@usdoj.gov
- Gisele M Goetz gmgoetz@hbsb.com, ggoetz@collegesoflaw.edu
- Karen L Grant kgrant@silcom.com
- Ira S Greene Ira.Greene@lockelord.com
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